

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO.: 05 10596 NMG

THOMAS KELLEY,
Plaintiff,

VS.

TOWN OF PLYMOUTH and
ROBERT J. POMEROY, as Chief of the
Plymouth Police Department and
Individually,
Defendants.

**DEFENDANTS' MOTION TO COMPEL
PLAINTIFF TO FURNISH RECORDS, INFORMATION AND
TESTIMONY CONCERNING AN EXECUTIVE SESSION MEETING
OF THE TOWN OF PLYMOUTH RETIREMENT BOARD**

Now come the defendants in the above-captioned action and request this Honorable Court to compel the plaintiff to furnish records, information and testimony regarding an executive session meeting of the Town of Plymouth Retirement Board, held on May 27, 2004.

In support of this motion, the defendants rely upon the attached Memorandum of Law and exhibits.

Respectfully submitted,
DEFENDANTS,
ROBERT J. POMEROY and the
TOWN OF PLYMOUTH,
By their attorneys,

/s/ Jeremy I. Silverfine
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Dated: September 5, 2006